

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

RODRECIUS ANTONIO HAMILTON,

Plaintiff,

v.

Case No. 8:18-cv-885-T-02TGW

OFFICER JEREMY WILLIAMS, *et al.*,

Defendants.

ORDER

Before the Court are Mr. Hamilton's Motion to Object to a Non Party Subpoena and Objections to Defendant's [sic] First Request for Production of Document's [sic] Rule 45, Fed.R.Civ. 3.01(G) [sic] (Doc. 44), and Defendants' Motion for Clarification as to Court's March 2, 2020 Order (Doc. 48). Mr. Hamilton objects to Defendants' subpoena for medical documents from Lakeland Regional Medical Center (LMRC), claiming that some of the records are privileged and protected under Rule 45, Fed.R.Civ.P., because they "have nothing to do with the case at bar." He moves the Court to "allow him to separate the medical records relevant to this case."

LMRC is likely to have information relevant to Mr. Hamilton's claims. The Second Amended Complaint alleges that Mr. Hamilton sustained injuries when he was attacked by Defendants' K-9, and he received treatment at LMRC following the attack (Doc. 17, p. 8; Doc. 17-1, pp. 13-19). Accordingly, medical records relevant to this incident are discoverable.

Mr. Hamilton appears to object to the scope of the request. He claims that some records may not be relevant because he has a workmen's compensation case currently pending. He does not, however,

allege that he has received medical care at LMRC concerning that case. Moreover, Defendants limited their request for records from LMRC from April 19, 2016, the date Mr. Hamilton was bitten by the K-9, to the present date (see Doc. 43-1, pp. 6-11), and Mr. Hamilton has not alleged that after April 19, 2016, he received no further care at LMRC for the injuries he sustained from the K-9. Therefore, nothing indicates that Defendants' request for records from LMRC is irrelevant or overbroad.

Accordingly:

1. Mr. Hamilton's Motion to Object to a Non Party Subpoena and Objections to Defendant's First Request for Production of Document's [sic] Rule 45, Fed.R.Civ. 3.01(G) [sic] (Doc. 44) is **DENIED**.

2. Defendants' Motion for Clarification as to Court's March 2, 2020 Order (Doc. 48) is **GRANTED**. Defendants may serve their subpoenas on LMRC.

ORDERED in Tampa, Florida on March 23, 2020.

s/William F. Jung
WILLIAM F. JUNG
United States District Judge

SA: sfc
Copies to:
Rodrecius Antonio Hamilton, *pro se*
Counsel of Record